

## **REMARKS**

Claims 1-25 and 42-67 are pending in the application. Claims 1, 42, and 67 are the independent claims. As a preliminary matter, the Office Action on page 2 indicates that the current action is final. Applicants assume that the statement is in error and will proceed to treat this action as non-final as indicated in the Office Action Summary.

The applicants would like to thank the examiner for the discussions held on October 24, 2007 with Applicant's representatives Han Gim and David Platz. The contents of the interview are included in the following remarks.

### **Claim Objections**

Claim 42 is objected to because of a typographical error. The claim has been amended to address the objection.

Claims 23 and 64 are objected to because of the phrase "a group construct that..." The term "construct" as recited in claims 23 and 64 is used in the noun form. See paragraph [0050] of the specification, for example. Applicants respectfully request withdrawal of the objections.

### **Claim Rejections – 35 USC §101**

Claim 67 is rejected under 35 USC §101 as being directed to non-statutory subject matter. Specifically, the Examiner contends that "computer readable medium" as recited in the claim comprises wireless signals and carrier waves and do not fall within a category of patentable subject matter. Applicants have amended the claim to recite "A computer readable storage medium..." Applicants respectfully request withdrawal of the rejection.

### **Claim Rejections – 35 USC §102**

Claims 1, 2, 5-11, 13, 14, 24-25, 43, 46-52, 54, 55, 65-66 and 67 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. patent no. 6,243,707 ("Humbleman"). Reconsideration of the rejections is respectfully requested in view of the following remarks.

As amended, claim 1 now recites, in part:

receiving input from a user indicative of at least one user preference, wherein said at least one user preference defines at least one generalized rule characterizing one of the group consisting of a visual, an aural and a tactile mode of communication;

...  
instantiating a user interface, said user interface providing at least one prompt for said user to select said at least one action-command, wherein said at least one prompt is provided in accordance with said stored at least one user preference and the canonical user interface description;

(emphasis added). Humpleman is generally directed to the configuration and control of home devices using a traditional display device, and consolidating a sequence of control steps into a macro for operator convenience. With entry of the above amendments, claim 1 recites the receiving of at least one user preference that defines a generalized rule *characterizing one of the group consisting of a visual, an aural and a tactile mode of communication*. The user interface is then instantiated taking into account the user preference as well as the computing element's canonical user interface description. As explained during the interview, the universal console can thus, for example, accommodate a user's needs or disabilities when instantiating a user interface via tactile or speech-based interfaces (see application paragraph 0034). Applicants respectfully submit that the cited passages from Humpleman do not disclose the capability of instantiating any one of a visual, an aural and a tactile mode of communication as now recited in claim 1. Applicants have made similar amendments to claims 42 and 67.

For at least the above reasons, applicants respectfully submit that claim 1 patentably defines over the teachings of Humpleman. Independent claims 42 and 67 recite similar limitations as claim 1, and thus are allowable for similar reasons. Dependent claims 2-25 and 43-66 are also allowable, at least by virtue of their dependency from the allowable independent claims.

## CONCLUSION

The applicant believes that the present Amendment is responsive to each of the points raised by the examiner in the Office Action, and submits that claims 1-25 and 42-67 of the

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application are in condition for allowance. Favorable consideration and passage to issue of the application at the examiner's earliest convenience is earnestly solicited.

Should the examiner have any further suggestions for expediting the prosecution of the presently pending claims, the undersigned respectfully asks the examiner contact him at 206-332-1386.

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